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# c 171 Hotel Fire Safety Act

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## CHAPTER 171

## The Hotel Fire Safety Act

## 1. In this Act,

Interpre-  
tation.

- (a) "fire door" means a hollow-metal, metal-clad, sheet-metal, steel or two-ply tin-clad door that is automatic or self-closing;
- (b) "Fire Marshal" means the Fire Marshal of Ontario;
- (c) "fire-resistive construction" means construction in which,
  - (i) the exterior walls are wholly of brick, stone, concrete, hollow block, solid block or the equivalent,
  - (ii) the interior walls and partitions are made of incombustible materials,
  - (iii) the floors and their supports are made of incombustible materials other than the floor covering, which may be wood, and
  - (iv) the roofs are made of incombustible materials;
- (d) "fire wall" means a partition wall of fire-resistive construction extending from the ground to a point three feet above the roof and in which all openings are protected by fire doors;
- (e) "grade" means the average level of the ground next to the building;
- (f) "hotel" means any hotel, tavern, inn or public house in one building or in two or more connected or adjacent buildings used mainly for the purpose of catering to the needs of the travelling public by supplying food and furnishing sleeping accommodation of not less than 10 bedrooms and includes all premises licensed under *The Liquor Licence Act* but does not include premises commonly known as boarding houses and apartment houses; Rev. Stat.,  
c. 211.
- (g) "incombustible" as applied to a material or combination of materials means steel, iron, brick, tile, concrete, slate, asbestos, wired glass, cement or gypsum plaster or other material that will not fuse, burn or dis-

integrate when exposed to a temperature of 1,000 degrees Fahrenheit for a period of one hour;

- (h) "inspector" means an inspector appointed under this Act;
- (i) "panic bolt" means a bolt or lock that can be opened at all times from the inside by downward pressure on a bar or lever;
- (j) "regulations" means regulations made under this Act;
- (k) "self-closing" as applied to a door, window or other protection for an opening, means that such door, window or other protection is normally closed and will immediately return to the closed position when it is opened and released;
- (l) "smoke-proof" means constructed so as to prevent the rapid passage of smoke and flames;
- (m) "storey" means that portion of a building between the top of any floor and the top of the next floor above it, or if there is no floor above it, that portion between the top of any floor and the ceiling above it, and the storey closest to grade having its ceiling more than six feet above grade shall be deemed to be the first storey. 1948, c. 42, s. 1.

What hotels  
to be fire-  
resistive.

**2.**—(1) Every hotel more than two storeys in height that is constructed or remodelled after the 15th day of June, 1948, every addition more than two storeys in height thereafter made to any hotel, and every building more than two storeys in height thereafter converted for use as an hotel, shall be of fire-resistive construction.

Require-  
ment for  
a fire wall.

(2) Where an addition is made after the 15th day of June, 1948, to any hotel and either the addition or the hotel is not of fire-resistive construction, there shall be a fire wall between the addition and the hotel. 1948, c. 42, s. 2.

Minimum  
number and  
location of  
stairways.

**3.**—(1) There shall be not less than two stairway systems in or in connection with every hotel, located as far apart as possible and so as to provide not less than two independent means of egress for the occupants on each floor.

Stairways in  
certain  
hotels.

(2) Every stairway in or in connection with an hotel that existed on the 15th day of June, 1948, and that is more than two storeys in height shall be fully enclosed and smoke-proof, provided that an exterior iron stairway with balconies at each floor or a metal tubular or spiral fire-escape may, with the

written permission of the inspector, be used in lieu of a fully enclosed and smoke-proof stairway.

(3) Every stairway in or in connection with,

Stairways  
in certain  
hotels.

(a) an hotel more than two storeys in height constructed or remodelled after the 15th day of June, 1948; or

(b) an addition more than two storeys in height made to an hotel after the 15th day of June, 1948; or

(c) a building more than two storeys in height converted for use as an hotel after the 15th day of June, 1948,

shall be fully enclosed, smoke-proof and of fire-resistive construction.

(4) Notwithstanding subsections 2 and 3, any stairway Exception. extending only to the second or mezzanine storey in an hotel of fire-resistive construction may be an open stairway.

(5) Every stairway from any portion of an hotel, other than from a place of public assembly, shall have a clear width of not less than 22 inches, and each step shall have not less than a ten-inch tread and not more than an eight-inch rise except that, where structural difficulties exist, the inspector may give written permission for steps having not less than an eight-inch tread. Minimum width of stairways.

(6) Every stairway from any portion of an hotel used as a place of public assembly shall have a clear width of not less than 44 inches, and each step shall have at least a ten-inch tread and not more than an eight-inch rise. Minimum width of stairways from place of assembly.

(7) Where in any hotel more than two storeys in height any stairway is located so as to require the users thereof to pass through a lobby or other place of public assembly in order to reach the outside of the building, the inspector may make an order requiring the lobby or other place of public assembly to be equipped with an automatic sprinkler system. 1948, c. 42, s. 3. Where stairway does not give direct egress.

4.—(1) No exterior stairway of,

Exterior  
stairways  
in certain  
hotels;

(a) an hotel more than two storeys in height constructed or remodelled after the 15th day of June, 1948; or

(b) an addition more than two storeys in height made to an hotel after the 15th day of June, 1948; or

- (c) a building more than two storeys in height constructed for use as an hotel after the 15th day of June, 1948,

shall extend more than five storeys above grade.

to extend  
to ground.

(2) Every exterior stairway of an hotel shall extend to the ground, provided that the inspector may give written permission for the bottom flight of such stairway to be counter-balanced. 1948, c. 42, s. 4.

Windows  
and doors  
beneath  
exterior  
stairways.

5.—(1) Every window, except a first-storey display window, in an hotel beneath any portion of an exterior stairway or opening onto or within 10 feet of an exterior stairway, shall be provided with wired glass and every door similarly located shall be metal-clad.

No other  
wall  
openings.

(2) There shall be no wall opening, other than a door or window, beneath or within 10 feet of an exterior stairway of an hotel.

Doors and  
windows  
opening to  
stairways.

(3) Every door and window opening to a stairway in or in connection with an hotel shall be not less than 30 inches in width and shall be hinged to open outwards with the line of exit travel and equipped with panic bolts only. 1948, c. 42, s. 5.

Balconies  
and landings.

6. The width of every balcony and landing in connection with a stairway in or in connection with an hotel shall be not less than the width of the door leading to it and shall have an area of not less than 12 square feet. 1948, c. 42, s. 6.

Railings.

7. Every exterior stairway shall have an iron railing not less than 32 inches in height, measured perpendicularly from the nosing of the step, and every balcony and landing in connection with an exterior stairway of an hotel shall have an iron railing not less than three feet in height on all sides. 1948, c. 42, s. 7.

Passage-  
ways.

8. Every passageway in an hotel leading to an exit door or stairway shall be not less than three feet in width and the walls and ceiling thereof shall be surfaced with plaster, plaster board or other incombustible material unless it is protected with an automatic sprinkler system. 1948, c. 42, s. 8.

Approaches  
to stair-  
ways.

9. The approaches to every stairway in an hotel shall be unobstructed and shall not be through a room used as a bedroom or bathroom or for any purpose that may obstruct free passage, and no such approach shall be veiled from open view by any ornamentation, curtain or other thing. 1948, c. 42, s. 9.

**10.** Rotating doors may be installed in hotels at exterior entranceways only and shall be collapsible and flanked within 15 feet by one or more doors that open outwards and that have a total width of not less than 44 inches. 1948, c. 42, s. 10. Rotating doors.

**11.—(1)** Every exit sign in an hotel shall have the word "EXIT" displayed in block letters not less than six inches in height and coloured white on a red background or coloured red on a contrasting background, provided that luminous signs of equivalent visibility may be used in lieu thereof. Exit signs.

(2) Where electricity is available, every exit sign in an hotel shall be illuminated during the night by an electric lamp supplied from a circuit separate from the domestic electric system. Electric exit signs.

(3) Every hotel shall have an exit sign placed above or beside every exit door and every exit window so as to be clearly visible. 1948, c. 42, s. 11. Location of exit signs.

**12.** Every hotel shall display signs in such manner and in such locations as the inspector may order indicating the directions of travel to reach the exits. 1948, c. 42, s. 12. Directional signs.

**13.** Every hotel shall display in each bedroom a floor plan showing the location of the exits and indicating the directions of travel to reach them and also a notice giving the fire safety rules of the hotel. 1948, c. 42, s. 13. Notices to be displayed in each bedroom.

**14.** Every exterior stairway, balcony, landing, exit door and exit window shall be kept free at all times from obstructions including ice and snow. 1948, c. 42, s. 14. Exits to be kept clear.

**15.** Every elevator shaft in an hotel shall be fully enclosed with incombustible materials and the top thereof shall be equipped with heat-actuated vents, and every elevator door shall be of metal and wired glass without openings. 1948, c. 42, s. 15. Elevator shafts and doors.

**16.** Every boiler or furnace room in an hotel shall be of fire-resistive construction and shall be equipped with fire doors. 1948, c. 42, s. 16. Boiler and furnace rooms.

**17.** Every hotel not completely equipped with an automatic sprinkler system or a heat-actuated fire detection system and containing 20 or more bedrooms above the first storey shall have a watchman on duty from ten o'clock each night until six o'clock the following morning, and the watchman Where watchman to be employed.

shall be equipped with a watchman's clock and he shall make a round of the hotel at least once every hour during his duty period. 1948, c. 42, s. 17.

Where fire  
fighters to  
be on duty.

**18.** Every hotel containing 50 or more bedrooms above the first storey shall have at least one adult male employee trained in fire fighting to the standard prescribed by the regulations on duty at all times within the hotel, provided that this section shall not apply where the hotel is in a municipality that has a fire department and where the hotel is completely equipped with an automatic sprinkler system or a heat-actuated fire detection system connected electrically with an alarm in the fire department or with a central signal supervisory service. 1948, c. 42, s. 18.

Fire alarms.

**19.** Every hotel shall have a fire-alarm system capable of being heard throughout the hotel and of being operated from each floor and from the hotel office. 1948, c. 42, s. 19.

Smoke-proof  
barriers.

**20.**—(1) Every hotel not of fire-resistive construction shall have smoke-proof barriers in such locations as the inspector may order.

Power to  
require  
sprinkler  
systems.

(2) The inspector may make an order requiring any hotel not of fire-resistive construction that is four or more storeys in height and is in a city or that is three or more storeys in height and is not in a city to have an automatic sprinkler system or a heat-actuated fire detection system. 1948, c. 42, s. 20.

Duty to  
call fire  
department.

**21.** When a fire is discovered in an hotel in a municipality having a fire department, the manager or other person in charge shall immediately call the fire department. 1948, c. 42, s. 21.

Special  
powers of  
inspectors.

**22.** Where an inspector finds that any condition exists in an hotel that makes the hotel specially liable to fire, he may make an order directing the hotelkeeper to remedy the condition. 1948, c. 42, s. 22.

Orders of  
inspector.

**23.**—(1) Where an inspector makes an order under this Act he shall cause a copy of the order to be delivered to the hotelkeeper by personal service or by registered mail.

Right of  
appeal.

(2) If the hotelkeeper feels aggrieved by the order he may appeal within 10 days from the service of the order to the Fire Marshal who shall examine the order and affirm, modify or revoke the same and cause a copy of his decision to be delivered to the hotelkeeper by personal service or by registered mail.

(3) If the hotelkeeper is dissatisfied with the decision of the Fire Marshal, he may, within 10 days from the service of the decision, apply by way of originating notice according to the practice of the court, to the judge of the county or district court of the county or district in which the hotel is situate, for an order modifying or revoking the order, and the judge, upon such application, may affirm, modify or revoke the order and his decision shall be final. Right of application to court.

(4) If an application to the county or district judge is not prosecuted by the hotelkeeper within 30 days from the filing of the originating notice, the judge may dismiss the application at the request of the Fire Marshal. 1948, c. 42, s. 23. Failure to prosecute application.

**24.**—(1) Every hotelkeeper who operates an hotel that does not conform with this Act and the regulations or who fails to comply with any order made by an inspector shall be guilty of an offence and upon summary conviction shall be liable to a penalty of not less than \$25 and not more than \$500, and, in addition, the magistrate may order the hotel to be closed until it is made to conform with this Act and the regulations or with the order of the inspector. Penalties.

(2) The conviction under this Act of any hotelkeeper shall not operate as a bar to further prosecution under this Act for the continued failure on the part of the hotelkeeper to comply with this Act and the regulations or the order of an inspector but such continuance shall constitute a new and separate offence. 1948, c. 42, s. 24. Conviction not bar to further charge.

**25.** The Lieutenant-Governor in Council may appoint one or more inspectors to enforce this Act and the regulations. 1948, c. 42, s. 25. Inspectors, appointment of.

**26.** The Lieutenant-Governor in Council may make regulations, Regulations.

- (a) requiring the submission of drawings and specifications to the Fire Marshal for review and approval prior to the construction, alteration or remodelling of and additions to hotels;
- (b) prescribing the mode of, and the materials to be used in, the construction, alteration or remodelling of and additions to hotels or any designated class thereof;
- (c) prescribing the mode of erection or installation of stairways, balconies, fire walls, doors, windows, exits and fire-prevention, fire-protection and fire-alarm



equipment in or outside of any hotel or any designated class thereof, and the materials to be used therein;

- (d) prescribing the mode of the construction of heating, ventilating and air-conditioning systems in hotels or any designated class thereof;
- (e) regulating the location, arrangement and maintenance of places of public assembly in hotels or any designated class thereof, and prescribing the mode of construction of such places;
- (f) controlling or prohibiting exhibits and displays in hotels or any designated class thereof;
- (g) controlling or prohibiting the use of flammable decorations, curtains and drapes in hotels or any designated class thereof;
- (h) prescribing standards of housekeeping for hotels;
- (i) prescribing a standard of training in fire-fighting for employees of hotels;
- (j) respecting any other matter necessary or advisable to carry out effectively the intent and purpose of this Act. 1948, c. 42, s. 26.

Municipal  
by-laws not  
affected.

**27.** Nothing in this Act or the regulations shall affect any by-law relating to the matters mentioned in this Act or the regulations and lawfully passed by a municipal council, or the authority of a municipal council to pass any such by-law, in so far as such by-law imposes additional or more stringent requirements than those contained in this Act or the regulations. 1948, c. 42, s. 27.

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